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6 Attorneys for Plaintiff  
I. MICHAEL ROSS  
7

8 UNITED STATES DISTRICT COURT  
9 NORTHERN DISTRICT OF CALIFORNIA  
10 SAN FRANCISCO DIVISION  
11

12 I. MICHAEL ROSS,

13 Plaintiff,

14 v.

15 TOMLAB OPTIMIZATION AB,  
16 TOMLAB OPTIMIZATION, INC.,  
and DOES 1 through 20,

17 Defendants.  
18

CASE NO. C08-01052 MHP

**STIPULATION AND ~~PROPOSED~~  
ORDER PERMITTING FILING  
OF AMENDED COMPLAINT**

[N. D. Cal. Civ. L.R. 3-12, 7-11]

19 WHEREAS:

20 A. Plaintiff I. Michael Ross ("Ross") wishes to further amend the complaint to add  
21 claims against an additional defendant, Anil Rao;

22 B. Ross has already exercised his right to amend the complaint once under Rule  
23 15(a)(1), and therefore requires Court approval to file a further amended complaint;  
24

25 C. Defendant Tomlab Organization, Inc. ("Tomlab") is willing to stipulate to the filing  
26 of a further amended complaint;

27 D. Ross is unable to obtain the stipulation of defendant Tomlab Organization, A.B.,  
28

1 since it has not yet been served and is accordingly not yet an active party represented by counsel;

2 E. Ross and Tomlab Organization, Inc., as the active parties to the litigation (the  
3 “Active Parties”), are therefore the only parties capable of executing this stipulation:

4 NOW THEREFORE, IT IS HEREBY STIPULATED by and between the Active Parties,  
5 through their respective counsel, that Ross may file a further amended complaint asserting claims  
6 against Anil Rao.  
7

8 Dated: May 8, 2008

CARR & FERRELL LLP

9  
10 By: /s/ Stuart C. Clark

11 STUART C. CLARK  
12 Attorneys for plaintiff I. Michael Ross

13 Dated: May 8, 2008

NEWHOUSE & ASSOCIATES

14 David E.  
15 Newhouse

16 By:

17 DAVID E. NEWHOUSE  
18 Attorneys for defendants Tomlab Optimization, Inc.

Digitally signed by David E. Newhouse  
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Date: 2008.05.08 10:19:17 -07'00'

19 PURSUANT TO STIPULATION, IT IS SO ORDERED.

20 DATED: May 9, 2008

